

## **COMPLAINT FORM**

(for filers who are prisoners without lawyers)

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA

(Full name of plaintiff(s))

Joseph E. Temmela

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vs

Mr. Houston, Mr. Renow,  
Commissioner.  
Robert E. Carter. State of Indiana

Woxford Medical, Dr. Bobby Taitel Australia, Dr., Vernon Fanning  
Head of medical Lynn Foy Regional Director Leanne Ivers.

Case Number:

1:18-cv-3750-JPH-DLP

(To be supplied by clerk of court)

#### A. PARTIES:

1. Plaintiff is a citizen of Indiana, and is located at  
(State)

3038 W. 850 S. Bunker Hill In 46914.  
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper).

2. Defendant Miami Correctional Facility et al,  
Westford Medical et al, (Name)

is (if a person or private corporation) a citizen of United States

is (if a person or private corporation) a citizen of Indiana (State, if known)  
and (if a person) resides at 3038 W 850 S Bunker Hill In 46914 (Address, if known)  
and (if the defendant harmed you while doing the defendant's job)  
worked for miami correctional Facility , wtfod medical (Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

#### B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

- 1). Superintendent Mr. Hyatt, Lt. Kinnegar, Co. Houston, Co. Renow  
Doe Commissioner Robert E. Carter, H.S.A. Bobby , RN  
Vivica Fanning, RN. Casifer Austin, Head of nursing Lynn Fry  
Regional Director Leeanne Turns
- 2.). Since 2016 I've been at miami correctional Facility's  
medical Because of my medical needs (cancer) now Mr. Hyatt  
The Superintendent and the Doe Commissioner Robert E.Carter knew  
About my medical needs. They also know too write a fax and  
haven't cause any Problem for the los or medical. They had  
and have the power to allow me to have leg restraints only

not on Because of The cancer and Krema Thats sayanted into my body which makes it hard for me to walk amongst other issues. Head of nursing Lynn Fry has the authority to allow me to have a wheel chair for my trips But she refuses Because I Refused to sign a D.N.R (Do not Resuscitate) Form she told me If I signed she would make it to where I wouldn't feel any pain But since I Refused to sign she said I would hurt very bad till I die. I've had cancer since 2012 and I've been at various different facility since 2010 my cancer is Terminal and Progressing Since Eric Boner Here my Eyes have gone and my Heart has gotten weaker on April 14, 2018 I had a out side appointment with a cardiologist Dr Shapler at Kakaako Dr, I had my cancer appointment couple days before and was weak from the Krema The two correctional officers Co.Houston & Co.Rosario was the two Co's who were taking me to my appointment they chain me up and Then chain my legs it took A few minutes to do my legs because I couldn't stand that well so I was made to Put my knees in chair and Cuffed that way I Explained to the Co's I wasn't Feeling right and I wished I could take a wheel chair I was denied because they already had Transport van get wheel chair van. I got to Dr Shapler Heart doctor and have my visit and as I'm leaving I have to go down 58 steps as I start the Co. Houston reach to grab my chains and wrist instead.

he hit my back I fell 5<sup>th</sup> concrete steps Face First. when we Houston  
 and Co. Review Picked me up I was Bleeding very Bad From my nose,  
 Lips, Face Head and elbows. Both eyes started swelling closed and bruising  
 started very quickly the nurse at the Heart Doctor's come to the door  
 and thought the car had shot me there was so much blood. The nurse  
 said you need to take me to the Hospital and co. Houston said no  
 I have to call my U. Kinnager. Lt. Kinnager said him and made a  
 talk and decided to refuse made co. Houston and co Review Bring him  
 Back to Prison. I Bled All the way back to the Prison blood was every  
 where and when I got to the Prison my EYES were Black & Blue, Broken  
 nose, concussion Both Knees were swollen and I couldn't walk the  
 nos got me a wheel chair and posted me in to the Infirmary when  
 I was brought in by Captain Austin, Lt. Maria Fanning, Lt. Sam  
 Ters, Lynn Fey, Don. Bobby both co's Houston, Review, Lt Kinnager  
 I.A. were taking Pictures I sat there for half a hour why they  
 took Pictures and laughed and made comments about me. RN  
 Maria Fanning came to me and stopped a Bag of Ice on my face  
 no one tried to stop the bleeding and I was still in cuffs the  
 whole time I was back in Infirmary. RN. Maria Fanning told En.  
 Captain Austin, Lynn Fey, and Doctors I was on to much medication  
 because I couldn't keep my head up so the Doctor lets my meds  
 (Am. excedel) in half even though it need them for my Cancer  
 Then Lynn Fey reminds me about the D.N.R. form and smiles. I  
 Finally was Put in my Bed and the next morning when I woke  
 I still had the same Bloody clothes on and Both Eyes were swollen  
 all most shut. when I asked for Gummie Form I was Rejected  
 So couple day go by and I ASK again for Gummie Form's  
 I was Rejected once again. when I asked about Pictures and how  
 could I get A copy they said what Pictures and Laughed.  
 ever to this date I'm still not Allowed to use wheel chair for  
 my outside visits and my Cancer Pain medication hasn't been Put  
 Back But on a regular Basis I'm provided About D.O.N. (Do Not Resuscitate)

3). April 14, 2018

4) Heart Doctor Dr. Shepler Kokomo ~~is~~ close to Hospital  
infirm doocesional Faculty Infirmary.

5) why the pris. doctors & co. doesn't just take me to Hospital  
or call ambulance I'm not sure. The Lt. Kinnage didn't want to do  
extra paper work. medical is not because we lost so much  
money to keep me alive and I won't sign DNR so we give  
a hard time always. The superintendent and the Commissioner feels  
that its not their job to help inmates but punish them always  
for all other reasons such as looking at me while I was Bleeding.  
Refusing me medical I'm not sure and why medical Lynn Fry  
is mad because I want let her win by signing her DNR.  
(Do not Resuscitate.)

C. JURISDICTION

I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR

I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is

\$ \_\_\_\_\_.

D. RELIEF WANTED

Describe what you want the court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or stop doing something.

*I'm asking That There Be Policy Change For the Terribly  
I'll Treatments on the we are Transported. I'm also asking  
that the Defendants are Found Guilty of violating  
my Rights Amendment 8-14<sup>th</sup> and For being Deliberate  
& Indifferent to me also and most of all violating  
my Safety & security of the Time and Refusing me  
proper Treatment when I was at Hospital with  
this said I'm Asking that Each Defendant Pay for my  
Pain and suffering \$50,000.00 Each equaling \$600,000.00  
Thousands. This is for I'm A Tumor with Terminal  
Cancer and have Pain and suffering everyday but the  
Defendants have Added so much Extra Pain which was  
unnecessary.*

E. JURY DEMAND



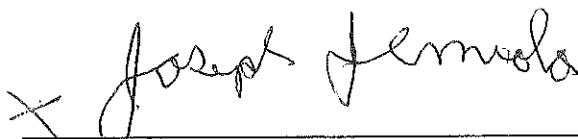
Jury Demand - I want a jury to hear my case  
OR



Court Trial - I want a judge to hear my case

Dated this 28 day of November 2018.

Respectfully Submitted,

  
Joseph Fernandes

Signature of Plaintiff

# 232750

Plaintiff's Prisoner ID Number

Momt Correctional Facility

3038 W. 850 S. Bunker Hill In 46914  
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper).

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE  
FILING FEE



I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a request to proceed in the district court without prepaying the fee and attached it to the complaint.



I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.